



DEPARTMENT OF COMMERCE

International Trade Administration

[C-489-825]

Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey: Preliminary Results and Rescission in Part of Countervailing Duty

Administrative Review; 2019

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) is conducting an administrative review of the countervailing duty (CVD) order on heavy walled rectangular welded carbon steel pipes and tubes (HWR pipes and tubes) from the Republic of Turkey (Turkey) for the period January 1, 2019, through December 31, 2019. Commerce preliminarily determines that Ozdemir Boru Profil San. Ve Tic. Ltd. Sti. (Ozdemir), the sole producer/exporter of HWR pipes and tubes from Turkey subject to this review, received *de minimis* countervailable subsidies. In addition, we are also rescinding this review with regard to eight companies for which the request for review was timely withdrawn by Nucor Tubular Products Inc. (the petitioner).

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Janae Martin or Jaron Moore, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0238 or (202) 482-3640, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 30, 2020, Commerce received a timely request for an administrative review of several companies from the petitioner, in accordance with section 751(a) of the Tariff

Act of 1930, as amended (the Act), and 19 CFR 351.213(b).¹ Commerce received no other requests for administrative review of these companies. On October 30, 2020, Commerce published a notice of initiation of an administrative review of the CVD order on HWR pipes and tubes from Turkey.²

On January 28, 2021, the petitioner timely withdrew its request for an administrative review with respect to the following eight companies: Agir Haddecilik A.S., Cag Celik Demir ve Celik Endustri A.S., Cinar Boru Profil San Ve Tic. A.S., Mescier Dis Ticaret Ltd. Sti., MTS Lojistik ve Tasimacilik Hizmetleri TIC A.C. Istanbul, Noksel Celik Boru Sanayi A, SEBA Dis Ticaret AS., and Tosyali Toyo Celik A.S.³ As a result, the only company for which the request for review was not withdrawn is Ozdemir.

On May 18, 2021, Commerce extended the deadline for the preliminary results to September 30, 2021.⁴

For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.⁵ A list of topics discussed in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>.

¹ See Petitioner's Letter, "Request for Administrative Review," dated September 30, 2020.

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 68840 (October 30, 2020).

³ See Petitioner's Letter, "Partial Withdrawal of Request for Administrative Review," dated January 28, 2021.

⁴ See Memorandum, "Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey: Extension of Deadline for Preliminary Results of Countervailing Duty Administrative Review; 2019," dated May 18, 2021.

⁵ See Memorandum, "Decision Memorandum for the Preliminary Results: Administrative Review of the Countervailing Duty Order on Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey; 2019," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

Scope of the Order

The merchandise covered by the order is HWR pipes and tubes from Turkey. For a complete description of the scope of the order, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(A) of the Act. For each of the subsidy programs found countervailable, we preliminarily determine that there is a subsidy, *i.e.*, a government financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.⁶ For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Rescission of Administrative Review, in Part

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the party that requested a review withdraws the request within 90 days of the publication date of the notice of initiation of the requested review. On October 30, 2020, Commerce published the notice of initiation of the requested review in the *Federal Register*.⁷ The petitioner's withdrawal request was timely submitted,⁸ and no other interested party requested an administrative review of the eight companies named above. Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding this administrative review of the CVD order on HWR pipes and tubes from Turkey, in part, with respect to the aforementioned eight companies.

Preliminary Results of Review

Commerce preliminarily determines that the following countervailable subsidy rate exists for Ozdemir for the period January 1, 2019, through December 31, 2019:

⁶ *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

⁷ *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 68840 (Oct. 30, 2020).

⁸ *See* Petitioner's Letter, "Partial Withdrawal of Request for Administrative Review," dated January 28, 2021.

Company	Subsidy Rate (percent)
Ozdemir Boru Profil San. Ve Tic. Ltd. Sti.	0.26 (<i>de minimis</i>)

Assessment Rate

Consistent with section 751(a)(2)(C) of the Act, upon issuance of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries covered by this review. If the assessment rate calculated in the final results is zero or *de minimis*, we will instruct CBP to liquidate all appropriate entries without regard to countervailing duties. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

With respect to the companies for which this administrative review is rescinded (*i.e.*, Agir Haddecilik A.S., Cag Celik Demir ve Celik Endustri A.S., Cinar Boru Profil San Ve Tic. A.S., Mescier Dis Ticaret Ltd. Sti., MTS Lojistik ve Tasimacilik Hizmetleri TIC A.C. Istanbul, Noksel Celik Boru Sanayi A, SEBA Dis Ticaret AS., and Tosyali Toyo Celik A.S.), countervailing duties shall be assessed at rates equal to the cash deposit rate required at the time of entry, or withdrawal from warehouse, for consumption, during the period January 1, 2019, through December 31, 2019, in accordance with 19 CFR 351.212(c)(1)(i).

Cash Deposit Rate

Pursuant to section 751(a)(1) of the Act, Commerce intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amount indicated for Ozdemir with regard to shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review, except, where the rate calculated in the final results is zero or *de minimis*, no cash deposit will be required. For all non-reviewed

firms, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the most recent company-specific or all-others rate applicable to the company, as appropriate. These cash deposit instructions, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

We will disclose to parties to this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of these preliminary results.⁹

Interested parties may submit written comments (case briefs) within 30 days of publication of the preliminary results and rebuttal comments (rebuttal briefs) within seven days after the time limit for filing case briefs.¹⁰ Pursuant to 19 CFR 351.309(d)(2), rebuttal briefs must be limited to issues raised in the case briefs. Parties who submit arguments are requested to submit with the argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹¹

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must do so within 30 days of publication of these preliminary results by submitting a written request to the Assistant Secretary for Enforcement and Compliance using Enforcement and Compliance's ACCESS system.¹² Requests should contain the party's name, address, and telephone number, the number of participants, whether any participant is a foreign national, and a list of the issues to be discussed. If a request for a hearing is made, Commerce will inform parties of the scheduled date of the hearing which will be held at a time and date to be determined.¹³ Issues addressed during the hearing will be limited to those raised in the briefs.¹⁴ Parties should confirm the date and time of the hearing two days before the scheduled date.

⁹ See 19 CFR 351.224(b).

¹⁰ See 19 CFR 351.309(c)(1)(ii) and 351.309(d)(1).

¹¹ See 19 CFR 351.309(c)(2) and 351.309(d)(2).

¹² See 19 CFR 351.310(c).

¹³ See 19 CFR 351.310.

¹⁴ See 19 CFR 351.310(c).

Parties are reminded that all briefs and hearing requests must be filed electronically using ACCESS and received successfully in their entirety by 5 p.m. Eastern Time on the due date. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹⁵

Unless the deadline is extended pursuant to section 751(a)(3)(A) of the Act, Commerce intends to issue the final results of this administrative review, including the results of our analysis of the issues raised by the parties in their comments, within 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) and 19 CFR 351.213(h), unless this deadline is extended.

Notification to Interested Parties

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: September 29, 2021.

Christian Marsh,
Acting Assistant Secretary for Enforcement and Compliance.

¹⁵ See 19 CFR 351.309; *see also* 19 CFR 351.303 (for general filing requirements); *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Subsidies Valuation Information
- V. Benchmarks and Interest Rates
- VI. Analysis of Programs
- VII. Recommendation

[FR Doc. 2021-21654 Filed: 10/4/2021 8:45 am; Publication Date: 10/5/2021]